

REMARKS

The claims remaining in the application are 1-15.

Rejection Under 35 U.S.C. § 102

The Office Action has rejected claims 1, 3, 4, 8, 9, and 11 under 35 U.S.C. 102(b) as being anticipated by EP 0 656 607 (Hoshino). This rejection is respectfully traversed.

The Examiner states in sections 4 and 6:

"The object is fabricated or made by [from?] a base material with a distribution of taggants in the base material itself, where it is randomly distributed in the base material and then is mapped in an article in a scanning region of the object. Information corresponding to the distribution of the taggants in the scanning region and other factors is enciphered and recorded in a code indicator section by means of a processing machine."

Also in section 4:

"Furthermore, it is interpreted by the examiner that the distribution of taggants mapped in the object(ed) is considered an image, a map of how the taggants are dispersed through the object or item."

The Examiner's attention is respectfully drawn to column 11, lines 5-34, paragraphs [0050] and [0051]. In this section Hoshino makes the central distinction between his disclosure and the present application very clear indeed. The Examiner's attention is drawn to lines 29-34 of that column, noting that "polymer elements 12" are Hoshino's taggants and "object 1" his article to be authenticated:

"The level of output voltage V_{out} varies depending on the distributing conditions of the magnetic polymer elements 12, including the distribution density, depth of embodiment, diameter (or thickness), length, and orientation thereof. Accordingly, an output voltage pattern peculiar to the object 1 can be detected"

Hoshino states very pointedly that his invention produces "*an output voltage pattern peculiar to the object.*" By no stretch of the imagination can this be interpreted as an "image" of the distribution, nor does it produce the "coordinates" of the taggant. Hoshino gives us no fewer than 6 factors that affect his "*output voltage pattern peculiar to the object.*" All six factors work together to produce a characteristic voltage pattern, which the Examiner will recognize as a mere one dimensional voltage curve.

The Examiner therefore has no basis for concluding that Hoshino is "*mapping*" the taggant distribution, nor for concluding that there is any "*image*" of any nature whatsoever involved. The saved result of Hoshino's invention is an "*output voltage pattern peculiar to the object,*" no more, while the present invention produces the actual two dimensional coordinates of the distribution of taggants. A map requires two dimensions and Hoshino operates exclusively in one dimension and does not describe any attempt to physically locate any taggants. There are no taggant "coordinates," as claimed in the present invention, involved in Hoshino's invention. Hoshino merely obtains a voltage pattern that is characteristic of the object being authenticated - essentially a form of "electronic fingerprint" of the object.

Rejection Under 35 U.S.C. § 103

The Office Action has rejected claims 5 and 6 under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as being obvious over EP 0 656 607 (Hoshino et al.). This rejection is respectfully traversed.

The Office Action has rejected claim 2 under 35 U.S.C. 103(a) as being unpatentable over EP 0 656 607 (Hoshino et al.) as applied to claim 1 above, and further in view of U.S. Patent No. 5,619,025 (Hickman et al.). This rejection is respectfully traversed.

Claim 1 of the present application clearly states "*generating data related to the taggant distribution coordinates.*" To the extent that the Hoshino application fails to describe the obtaining of the taggant coordinates, it fails as 35 U.S.C. 102(b) prior art. Claim 1 having been addressed in respect of 35 U.S.C. 102(b), the relevant dependent claims 2, 3, 4, 5, 6, and 12 stand similarly addressed. The rejection of dependent claim 2 under 35 U.S.C. 103(a), based on

combining Hoshino with Hickman U.S. Patent 5,619,025 is likewise countered by the irrelevance of Hoshino. It similarly fails as 35 U.S.C. 103(a) prior art in combination with Cote's U.S. Patent 6,549,131 in respect of dependent claim 12.

The Office Action has rejected claims 7 and 10 under 35 U.S.C. as being unpatentable over EP 0 656 607 (Hoshino et al.), and further in view of U.S. Patent No. 4,218,674 (Brosow et al.). This rejection is respectfully traversed.

Claim 7 of the present application for patent clearly states "*a database for storing taggant location coordinates.*" To the extent that the Hoshino application fails to provide for the storage of taggant coordinates (being incapable of determining the same), it fails as 35 U.S.C. 103 prior art, either alone or in combination with Brosow U.S. Patent 4,218,674. Claim 7 having been addressed, the relevant dependent claims 10 and 13 stand similarly addressed.

Claim 8 of the present application for patent clearly states "*generating first data related to taggant distribution coordinates.*" To the extent that the Hoshino application fails to provide for the generation of taggant coordinates (being incapable of determining the same), it fails as 35 U.S.C. 102(b) prior art and as 35 U.S.C. 103 prior art, either alone or in combination with Brosow U.S. Patent 4,218,674. Claim 8 having been addressed, the relevant dependent claims 11 and 13 stand similarly addressed.

The Office Action has rejected claims 12, 14, and 15 under 35 U.S.C. 103(a) as being unpatentable over EP 0 656 607 (Hoshino et al.), as applied to claims 1, 8, and 9, and further in view of U.S. Patent No. 6,549,131 (Cote et al.). This rejection is respectfully traversed.

The Office Action has rejected claim 13 under 35 U.S.C. 103(a) as being unpatentable over EP 0 656 607 (Hoshino et al.) in view of U.S. Patent No. 4,218,674 (Brosow et al.), as applied to claim 7, and further in view of U.S. Patent No. 6,549,131 (Cote et al.). This rejection is respectfully traversed.

Claim 9 of the present invention clearly states "*image processing means capable of [...] ii. registering the taggant distribution to the registration mark.*" To the extent that the Hoshino application fails to describe the obtaining of the taggant coordinates and most certainly does not image the distribution, it fails as 35 U.S.C. 102(b) prior art. It similarly fails as 35 U.S.C. 103(a) prior art in combination with Cote's U.S. Patent 6,549,131. It similarly fails as 35 U.S.C.

103(a) prior art in combination with Cote's U.S. Patent 6,549,131 with respect to dependent claim 15.

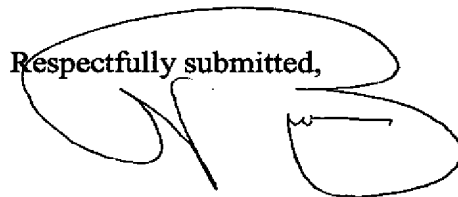
CONCLUSION

Dependent claims not specifically addressed add additional limitations to the independent claims, which have been distinguished from the prior art and are therefore also patentable.

In conclusion, none of the prior art cited by the Office Action discloses the limitations of the claims of the present invention, either individually or in combination. Therefore, it is believed that the claims are allowable.

If the Examiner is of the opinion that additional modifications to the claims are necessary to place the application in condition for allowance, she is invited to contact Applicant's attorney at the number listed below for a telephone interview and Examiner's amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'N. A. Blish', enclosed within a large, loopy oval shape.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.